

HAZARDOUS WASTE COMPLIANCE AND ENFORCEMENT LOG

1. I.D. Number: KYD 044 570 596

2. Facility Type: ☐ Land Disposal ☐ LQG

3. County Name: Boone ☐ Transporter ☐ Treat/Store ☒ SQG

4. Handler Name: Johnson Controls Battery Group Inc. ☐ Gen MKTR HW ☐ OT HW MKTR ☐ HW Burner

5. Location Address: 8040 Blue Grass Drive, Florence, KY 41042 ☐ UO MKTR Burner ☐ UO Fuel Burner ☐ Non-Notifier

☐ Spec Oil Fuel MKTR ☐ Recycler ☐ Combustion

☐ Non-Handler ☐ Closed ☐ CEG

6. Evaluation Add ☒ Change ☐ Delete ☐

Date of Evaluation	Sequence Number	Agency	Type of Evaluation	Reason	Responsible Person	Branch
02/28/2003		S	CEI		RPR	FL

Comments: Started 2-28-03(No violations) and finished on 3-5-03(Violations found)

7. Violation Add ☒ Change ☐ On-Going ☐ Delete ☐

Agency	Sequence Number	Area of Violation	Class of Violation	Regulation Cited	Regulation Type
S		GRR	2	32:040 §3	SR
Priority	Date Determined	Scheduled Date		Return to Compliance Actual Resolve Date	
	03/05/2003	04/11/2003			

Comments: Failure to file exception reports on missing manifests

7a. Violation Add ☒ Change ☐ On-Going ☐ Delete ☐

Agency	Sequence Number	Area of Violation	Class of Violation	Regulation Cited	Regulation Type
S		GMR	2	32:100 §3	SR
Priority	Date Determined	Scheduled Date		Return to Compliance Actual Resolve Date	
	03/05/2003	04/11/2003			

Comments: Failure to enter handling codes on manifests

7b. Violation Add ☐ Change ☐ On-Going ☐ Delete ☐

Agency	Sequence Number	Area of Violation	Class of Violation	Regulation Cited	Regulation Type
S					SR
Priority	Date Determined	Scheduled Date		Return to Compliance Actual Resolve Date	

Comments: _____

Number of violations 330664 45

1a. ID Number <u>KY KYD 044 570 596</u>					
4a. Handler Name <u>Johnson Controls Battery Group Inc.</u>					
7c. Violation Add <input type="checkbox"/> Change <input type="checkbox"/> On-Going <input type="checkbox"/> Delete <input type="checkbox"/>					
Agency	Sequence Number	Area of Violation	Class of Violation	Regulation Cited	Regulation Type
S					SR
Priority	Date Determined		Scheduled Date	Return to Compliance Actual Resolve Date	
Comments: _____					
7d. Violation Add <input type="checkbox"/> Change <input type="checkbox"/> On-Going <input type="checkbox"/> Delete <input type="checkbox"/>					
Agency	Sequence Number	Area of Violation	Class of Violation	Regulation Cited	Regulation Type
S					SR
Priority	Date Determined		Scheduled Date	Return to Compliance Actual Resolve Date	
Comments: _____					
7e. Violation Add <input type="checkbox"/> Change <input type="checkbox"/> On-Going <input type="checkbox"/> Delete <input type="checkbox"/>					
Agency	Sequence Number	Area of Violation	Class of Violation	Regulation Cited	Regulation Type
S					SR
Priority	Date Determined		Scheduled Date	Return to Compliance Actual Resolve Date	
Comments: _____					
8. Enforcement Add <input checked="" type="checkbox"/> Change <input type="checkbox"/> Delete <input type="checkbox"/>					
Date Determined	Sequence Number	Agency	Type Of Enforcement	Branch	Responsible Person
03/05/2003		S	190	FL	RPR
Penalty Assessed \$			Settled \$		
Comments: _____					
8a. Enforcement Add <input type="checkbox"/> Change <input type="checkbox"/> Delete <input type="checkbox"/>					
Date Determined	Sequence Number	Agency	Type Of Enforcement	Branch	Responsible Person
		S		FL	
Penalty Assessed \$			Settled \$		
Comments: _____					
9. Covered Violations (Enter violations addressed by above enforcement actions(s) only)					
Sequence #	Area of Violation	Sequence #	Area of Violation	Sequence #	Area of Violation
	GRR				
	GMR				



COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
FLORENCE REGIONAL OFFICE
8020 VETERANS MEMORIAL DR STE 110
FLORENCE KY 41042

March 11, 2003

Johnson Controls Battery Group Inc.
8040 Bluegrass Drive
Florence, KY 41042
Attn.: Tim McCarrick

RE: Inspection results
Johnson Controls Battery Group Inc.
KYD 044 570 596
Boone County

Dear Mr. McCarrick:

Enclosed is the inspection report for the inspections conducted on **February 28, 2003** and **March 5, 2003**. Please note there are two violations of the Kentucky Division of Waste Management Regulations as follows:

- **401 KAR 32:040 §3** Failure to file exception reports on missing manifests signed by the receiving facility.
- **401 KAR 32:100 §3** Failure to enter handling codes on manifests.

These violations must be corrected no later than **April 11, 2003** with a follow-up inspection to be conducted on or after that date. If you have any questions or need further information, feel free to contact this office at the above address or call (859) 525-4923.

Sincerely,

Ray Prater
Environmental Inspector III
Division of Waste Management
Florence Regional Office

Certified Mail #7002 2410 0005 7796 9735
Enclosures

Copy: Frankfort Central Office
Florence Regional Office
EPA Region IV, Atlanta, Georgia



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COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT

NOTICE OF VIOLATION

TO:

JOHNSON CONTROLS
8040 BLUE GRASS DR
FLORENCE KY 410420000
Attn: TIM MCCARRICK

SITE:

JOHNSON CONTROLS BATTERY GROUP, INC.
8040 BLUEGRASS DR
FLORENCE KY 41042

Site ID #: KYD044570596

County: Boone

Notifications/Complaints System #:

NOV Tracking #: 9074

Date(s) Violation(s) Observed: 03/05/2003

OIG Case #:

Enforcement Case #:

This is to advise that you are in violation of the provisions cited below:

Statute/Regulation(No. 1): KRS 224 401 KAR 32:040 3

A description of the violation:

Failure to file exception reports on missing manifests signed by the receiving facility.

The required remedial measure(s), and date(s) to be completed by; are as follows:

File exception reports explaining why signed copies from the receiving facilities are missing or else provide copies of the missing signed manifests. To be completed by: 04/11/2003

Statute/Regulation(No. 2): KRS 224 401 KAR 32:100 3

A description of the violation:

Failure to enter handling codes on manifests.

The required remedial measure(s), and date(s) to be completed by; are as follows:

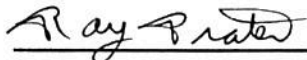
Manifests must have a handling code entered prior to shipment of hazardous waste. To be completed by: 04/11/2003

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

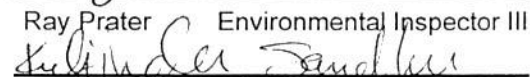
Division Of Waste Management
Florence Regional Office
8020 Veterans Memorial Drive, Suite 110
Florence, Ky 41042
859-525-4923 (8:00 AM - 4:30 PM)
Ray Prater, Environmental Inspector III

Issued By:



Date: 03/11/2003

Issued By:

Ray Prater Environmental Inspector III

Kuljinder Sandhu

Date: 03/11/2003

How Delivered: Certified Mail Certified #: 7002 2410 0005 7796 973 5

cc: Florence, Frankfort, EPA

+

DEP 4025

+

Natural Resources and Environmental Protection Cabinet
 Department for Environmental Protection
 Division of Waste Management
Small Quantity Generator Inspection Report

Site/Permit ID: KYD 044 570 596			Regional Office: Florence
Site Name: Johnson Controls Battery Group Inc.			Program: Hazardous Waste
Site Address: 8040 Blue Grass Drive			
City: Florence	State: Kentucky	Zip: 41042	County: Boone
Site Contact: Tim McCarrick		Title: Plant Engineer	Phone #: 859-525-6030
Inspection Type: Routine	Purpose: Comprehensive		Not/Com #:
Inspection Date: 2/28/03 3/5/03	Time: Start 1:15 p.m. End 2:10 p.m. Start 10:05 a.m. End 11:53 a.m.		
Latitude: 38° 58' 20"	Longitude: 84° 38' 10"		
Coordinate Collection Method: Reported			
Type of Site: Battery casing production		Registration Expires: March 31, 2003	
Drum Accumulation <input checked="" type="checkbox"/> Tank Accumulation <input type="checkbox"/> Other Activities			

I. Administrative Requirements

1. Operations consistent with registration:	32:010 § 3	No Violations Observed
a. All generated wastes on Notification Form	32:010 § 3(4)	No Violations Observed
b. Status correctly identified	32:010 § 3(4)	No Violations Observed
c. Notification form data correct	32:010 § 3(4)	No Violations Observed
d. Up to date registration	32:010 § 3(1)	No Violations Observed
Comments:		

Compliance Status - No Violations Observed

II. Operator Certification/Accreditation Requirements

Comments:
Compliance Status - Not Applicable

III. Record Keeping Requirements

1. Hazardous waste determination/analysis record	32:010 § 2	No Violations Observed
2. Generator annual report maintained:	32:040 § 1; 2	No Violations Observed
a. Correct information submitted	32:040 § 2(1)	No Violations Observed
b. Copy sent to County Judge/Executive	32:040 § 2(3)	No Violations Observed
c. Last 3 years on file	32:040 § 1(2)	No Violations Observed
3. Inspection requirements:	32:040 § 1(4)	No Violations Observed
a. Adequate schedule developed/kept:	35:020 § 6(1,2)	No Violations Observed
b. Inspection log details:	35:020 § 6(4)	No Violations Observed
1) Date of inspection	35:020 § 6(4)	No Violations Observed
2) Time of inspection	35:020 § 6(4)	No Violations Observed
3) Inspector's name	35:020 § 6(4)	No Violations Observed

4) Notation of observations	35:020 § 6(4)	No Violations Observed
5) Date & nature of remedial actions	35:020 § 6(4)	No Violations Observed
c. Records maintained at least 3 years	35:020 § 6(4)	No Violations Observed
d. Inspections conducted and recorded	35:020 § 6(2;4)	No Violations Observed
e. Remedial actions taken	35:020 § 6(3)	No Violations Observed
4. Personnel training requirements:	32:030 § 5(4)(e)	No Violations Observed
a. Required employees familiar with relevant waste handling and emergency procedures	32:030 § 5(4)(e)	No Violations Observed
5. Emergency Requirements:	32:030 § 5(4)(e)	No Violations Observed
a. Emergency Coordinator designated	32:030 § 5(4)(e)	No Violations Observed
b. Required information posted near telephone	32:030 § 5(4)(e)	No Violations Observed
1) Coordinator's name and telephone number	32:030 § 5(4)(e)	No Violations Observed
2) Location of fire and spill equipment	32:030 § 5(4)(e)	No Violations Observed
3) Fire Department # or direct alarm	32:030 § 5(4)(e)	No Violations Observed
6. Arrangements with local authorities:	32:030 § 5(4)(d)	No Violations Observed
a. Police/fire/hospital/ER teams	35:030 § 7(1;2)	No Violations Observed
b. Refusals maintained	35:030 § 7(1;2)	No Violations Observed
7. International shipments	32:050 § 1 – 9	No Violations Observed
8. Generator manifests:	32:020; 32:100	No Violations Observed
a. Required information	32:100	Out of Compliance
b. Manifest properly executed	32:020 § 3; 4	No Violations Observed
c. Manifest maintained	32:040 § 1	No Violations Observed
d. Exception report maintained	32:040 § 3; 1	Out of Compliance
9. Land disposal restricted wastes:	32:030 § 5(4)(d)	No Violations Observed
a. Determination/analysis	37:010 § 7	No Violations Observed
b. Dilution prohibited in lieu of treatment	37:010 § 3	No Violations Observed
c. Notice/certification with each shipment:	37:010 § 7	No Violations Observed
1) All required information	37:010 § 7	No Violations Observed
2) Correct treatment standard	37:010 § 7	No Violations Observed
3) Waste analysis sent, if available	37:010 § 7	No Violations Observed

Comments:

Compliance Status - Out of Compliance - NOV Issued

IV. Reporting Requirements

1. Generator annual report submitted:	32:040 § 1; 2	No Violations Observed
2. Emergency Requirements:	32:030 § 5(4)(e)	No Violations Observed
a. Notification of release as required	32:030 § 5(4)(e)	No Violations Observed
3. Generator manifests:	32:020; 32:100	No Violations Observed
a. Exception report submitted if necessary	32:040 § 3; 1	No Violations Observed

Comments:

Compliance Status - No Violations Observed

V. Operation & Maintenance/Performance Requirements

1. Satellite accumulation areas:	32:030 § 5(3)	No Violations Observed
a. Maximum of 55 gallons	32:030 § 5(3)(a)	No Violations Observed
b. 1 quart maximum if acutely hazardous	32:030 § 5(3)(a)	No Violations Observed

c. At or near generation point	32:030 § 5(3)(a)	No Violations Observed
d. Operator's control	32:030 § 5(3)(a)	No Violations Observed
e. Complies with 35:180 § 2; 3; 4(1):	32:030 § 5(4)(b)	No Violations Observed
1) Condition of containers	35:180 § 2	No Violations Observed
2) Compatibility of waste with containers	35:180 § 3	No Violations Observed
3) Closed except for adding/removing	35:180 § 4(1)	No Violations Observed
f. "Hazardous Waste" marking	32:030 § 5(3)(a)	No Violations Observed
2. Prevention and preparedness:	32:030 § 5(4)(d)	No Violations Observed
a. Maintained/operated to prevent releases	35:030 § 2	No Violations Observed
b. Required equipment:	35:030 § 3	No Violations Observed
1) Internal communication or alarm system	35:030 § 3(1)	No Violations Observed
2) Telephone or 2-way radio	35:030 § 3(2)	No Violations Observed
3) Fire extinguishers, if applicable	35:030 § 3(3)	No Violations Observed
4) Absorbent material, if applicable	35:030 § 3	No Violations Observed
c. Required equipment maintained/operated	35:030 § 4	No Violations Observed
d. Access to communications or alarm	35:030 § 5	No Violations Observed
e. Adequate aisle space maintained	35:030 § 6	No Violations Observed
3. Accumulation in containers:	32:030 § 5(4)	No Violations Observed
a. D.O.T. packaging	32:030 § 1	No Violations Observed
b. Accumulation start date:	32:030 § 5(1)(b)	No Violations Observed
1) Date clearly marked	32:030 § 5(1)(b)	No Violations Observed
2) Date visible for inspection	32:030 § 5(1)(b)	No Violations Observed
c. Each clearly marked "Hazardous Waste"	32:030 § 5(1)(c)	No Violations Observed
d. Condition of containers	35:180 § 2	No Violations Observed
e. Compatibility of waste with containers	35:180 § 3	No Violations Observed
f. Management of containers:	35:180 § 4	No Violations Observed
1) Drums closed (except adding/removing)	35:180 § 4(1)	No Violations Observed
2) Operated to prevent leaks or ruptures	35:180 § 4(2)	No Violations Observed
g. Accumulation areas inspected weekly	35:180 § 5	No Violations Observed
1) Check for leaks	35:180 § 5	No Violations Observed
2) Address container condition	35:180 § 5	No Violations Observed
h. Incompatible waste management	35:180 § 7	No Violations Observed
4. SQG accumulation period of:	32:030 § 5(4)	No Violations Observed
a. 180 days -or-	32:030 § 5(4)	No Violations Observed
b. 270 days (if > 200 miles and < 6000 kg)	32:030 § 5(4)	No Violations Observed

Comments:

Compliance Status - No Violations Observed

VI. Discharge/Emission Compliance
--

Comments:

Compliance Status - Not Applicable

VII. Monitoring/Analyses Evaluation

Comments:

Compliance Status - Not Applicable

VIII. Environmental/Human Health Impact

Comments:

Compliance Status - Not Applicable

IX. Documentation

- ☒ Photos taken
- ☐ Record of visual determination of opacity
- ☒ Documents Obtained From Facility Facility layout
- ☐ Samples taken by DEP
- ☐ Samples taken by outside source
- ☐ Regional Office instrument readings taken
- ☐ Other documentation
- ☒ Site Hazard Assessment completed and attached

Comments: I spoke to Mike Froehle at Johnson Controls. The contact for this site, Tim McCarrick, was at another facility and was unavailable. Froehle did not have access to the records so a physical inspection of the facility was conducted. During the inspection I observed two containers of lead terminals from reject battery casings. These are shipped offsite to be melted down and the lead reused. The full accumulation area contained used lamps, lead terminals for recycling, and non-hazardous oil soaked pads and rags used in cleanup around machinery. At the end of the inspection, Froehle was directed to have McCarrick contact our office to schedule a return visit to complete the inspection.

March 5, 2003 I spoke to Tim McCarrick and asked to see their records. Annual reports and registration were onsite and available. The manifests were reviewed back to 2000. Handling codes were missing on several manifests primarily in 2003 and 2002. Also, several signed manifest copies from the receiving facilities were missing. Weekly inspections were reviewed and were current. Personnel training was conducted on November 1, 2002. After the records review, a tour of the facility was again conducted to address any wastes not observed on the previous inspection. A hazardous waste satellite accumulation container of xylene waste was observed. The container was labeled and closed. A satellite container of lead contaminated gloves was observed with the container for this being labeled and closed.

Inspector: <i>Ray Prater</i>	Title: Environmental Inspector III	Date: 3-11-03
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Overall Compliance Status
<input type="checkbox"/> No violations observed
<input type="checkbox"/> No violations observed but impending violation trends observed – Advisory Action Taken
<input type="checkbox"/> Out of Compliance. Non-recurrent deficiency noted – Verbal notice given or violation corrected at time of inspection.
<input type="checkbox"/> Out of Compliance. Non-recurrent administrative or O & M deficiency noted – Warning Notice issued
<input checked="" type="checkbox"/> Out of Compliance – NOV issued

Received By: [Copy mailed to facility]	Title:	Date:
Delivery Method: Certified Mail		

Johnson Controls Battery Group Inc
8040 Bluegrass Drive
Florence, KY 41042

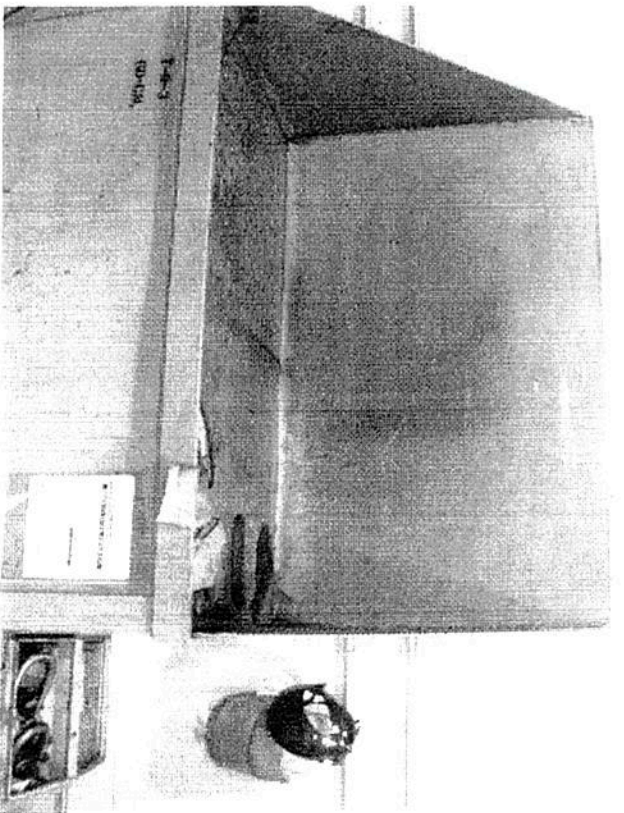
Boone County
KYD 044 570 596

FACILITY DESCRIPTION

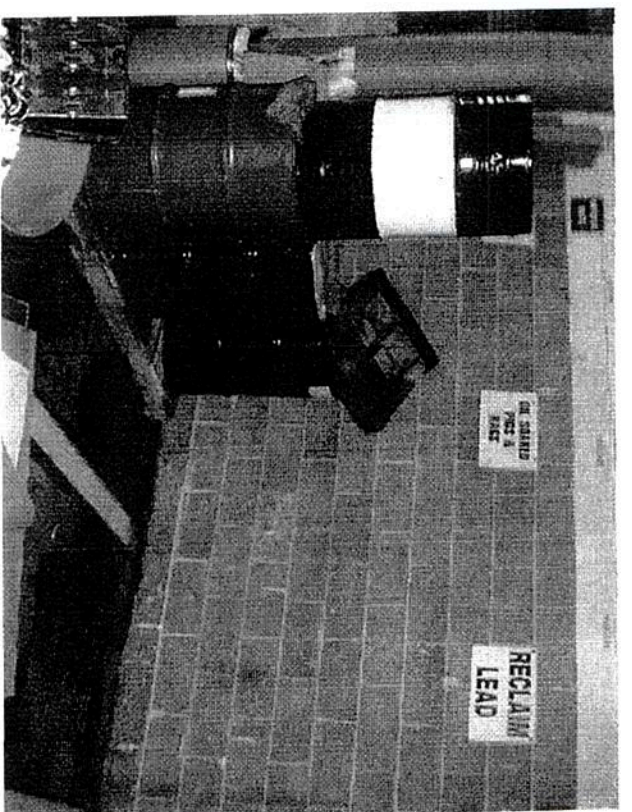
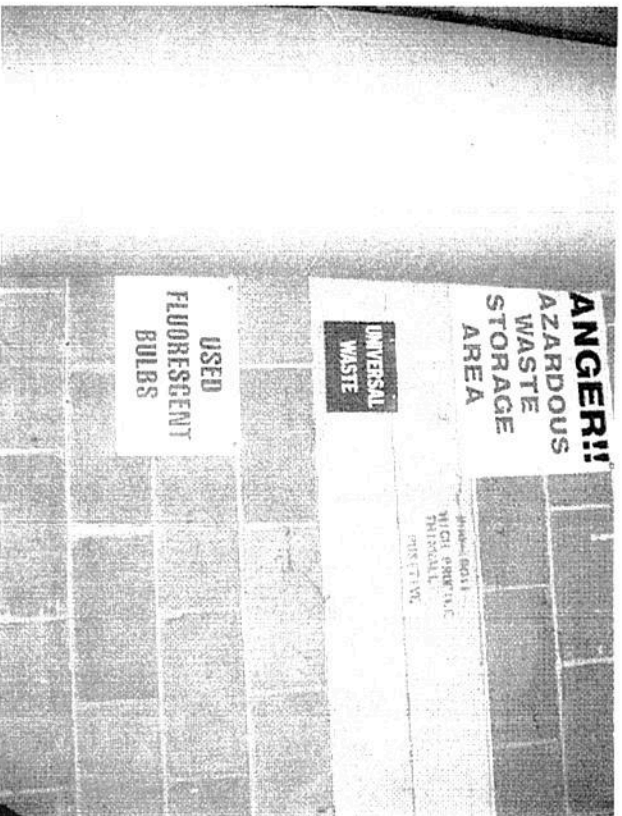
This site has been Johnson Controls Battery since 1968. The building was originally erected for this business and has operated here since that time. The company is headquartered in Milwaukee, Wisconsin and John Barth is CEO. This facility operates 24 hours per day, seven days a week and employs approximately 100 personnel. The operation is lead acid battery component production which consists of making containers and attaching the terminals(bushings). Up until March 2002 the facility also made their own lead terminals. Now all terminals are brought in from offsite. There are 40 plastic injection molding machines for container production. The site also produces 'dummy' batteries which have no internal parts and are intended for display models. There are ten casting machines for terminal production, three of which are injection-type casting. There was a terminal coating machine at this facility up until March 2002 when it was moved to their plant in South Carolina. The parts washers at this facility are serviced by Crystal Clean which is a division of Heritage Environmental Services.

Plastic pellets are shipped by railcar or truck and are held in five 200,000 to 300,000 gallon capacity silos. The pellets are conveyed into the plant to collection hoppers. From here they go to one of the plastic molding machines hoppers and band heaters melt the plastic. The liquid plastic is forced into a mold by a hydraulic cylinder. After forming, the component is chilled with cool water to produce the product. This is dropped out of the mold and the process starts again. Ten robotic units are utilized to put side terminals onto the batteries. The cooling water and hydraulic oil are collected via a tunnel underneath the plant and put through an oil water separator.

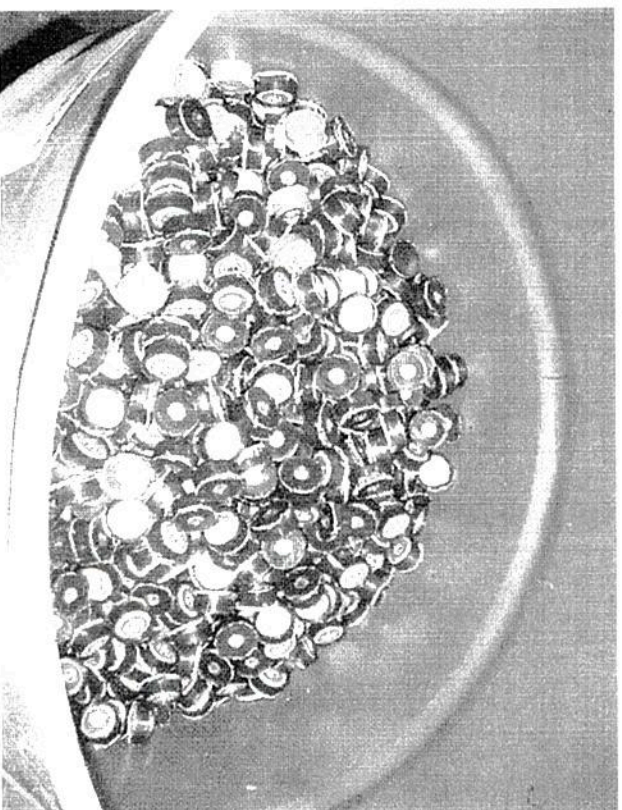
Hot stamp machines are used to put logos on the batteries. Battery bodies are checked for defects. If they are plastic, they are ground up and returned to the process for melting. If the grindings contain any lead from the removed terminals, they are sent off site to a smelter. Prior to grinding, these units are shrink wrapped and stored in the parking lot until they can be reintroduced into the process. Molds are cleaned and/or repaired in the tool room. Completed bodies are shipped off-site for completion (addition of acid, water, etc.). A collector system is used throughout the plant for capturing fugitive dusts. All lead wastes are considered as byproducts of the process and are utilized for reclamation at the smelter. In the blending room, incoming plastic pellets and reusable ground-up plastic are blended and put back into the process.

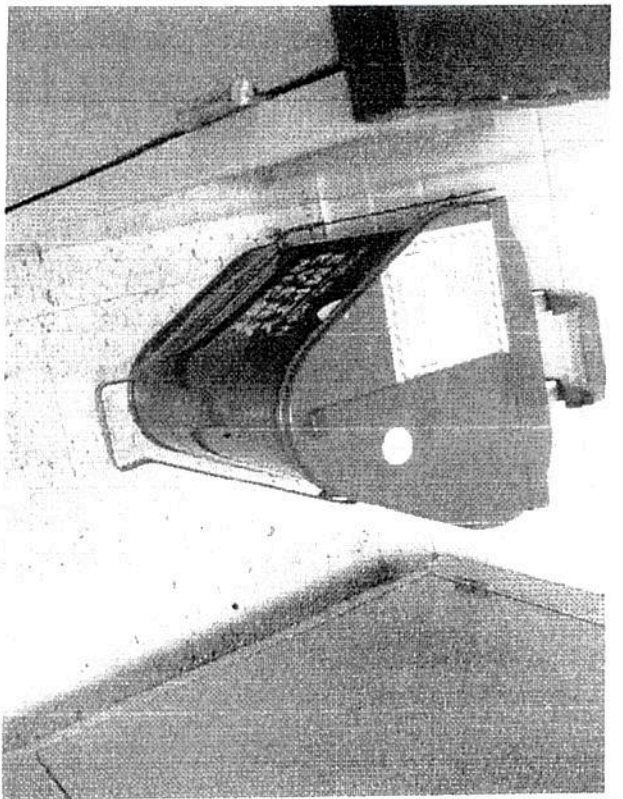


Johnson Controls Battery Group, Inc.
KYD 044 570 596
Boone County 2-28-03 RP

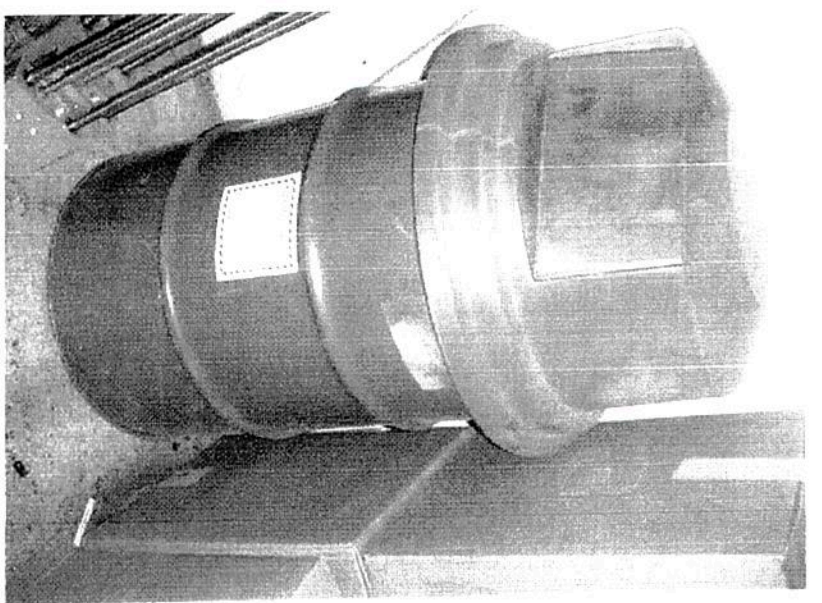


Above left photo of parts washer. Above right photo of full accumulation area. Bottom left photo of Universal Waste Lamps. Bottom right photo of lead terminals accumulating for recycling.





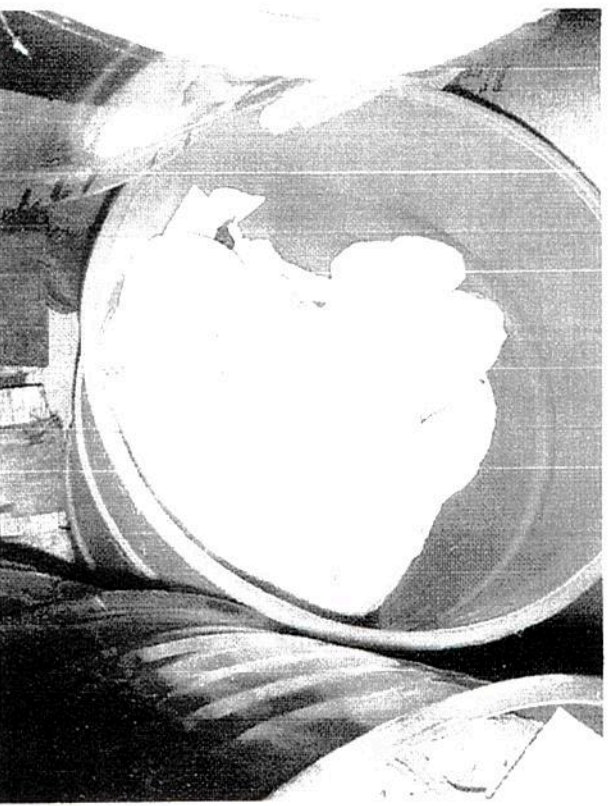
Top left photo of container for xylene waste. Top right photo for lead contaminated gloves. Bottom right photo of spill kit.



Johnson Controls Battery Group, Inc.

KYD 044 570 596

Boone County 3-5-03 RP



Part A Johnson Controls Battery Group
Site ID: KYD 044 570 596

NOT/COM#:
GPS: 38°58'20" 84°38'10"

Part B

Circle Hazard/s Located at the Site being Assessed Sufficient to Require PPE. Comment in Part C.

I. HEAD

POTENTIAL INJURY/HAZARD

1. Struck By Overhead pipes in basement
2. Struck Against
3. Electrical
4. Temperature
5. Other _____

II. EYES/FACE

POTENTIAL INJURY/HAZARD

1. Airborne
2. Chemical
3. Flash/Light/UV
4. Other _____

III. RESPIRATORY

POTENTIAL INJURY/HAZARD

1. Oxygen Deficiency
2. Airborne Particles
 - a. Dusts
 - b. Fumes
 - c. Mists
3. Airborne Contaminants
 - a. Gases
 - b. Vapors
4. Combinations
5. Temperature
6. Other _____

IV. HAND/ARM

POTENTIAL INJURY/HAZARD

1. Cut/Abrasion/Puncture/Crush
2. Electrical
3. Chemical
4. Biological
5. Temperature
6. Body Fluids
7. Cumulative
8. Strain
9. Other _____

V. FOOT/LEG

POTENTIAL INJURY/HAZARD

1. Cut/Abrasion/Puncture/Crush
2. Electrical
3. Chemical
4. Biological
5. Temperature
6. Struck by/Against
7. Strain
8. Other _____

VI. TORSO/WHOLE BODY

POTENTIAL INJURY/HAZARD

1. Cut/Abrasion/Puncture
2. Electrical
3. Chemical
4. Biological
5. Temperature
6. Struck By/Against
7. Body Fluids
8. Strain
9. Cumulative
10. Slip/Trip/Fall
 - a. Same Level
 - b. Different Level
11. Entrapment
12. Immersion/Submersion/Water
13. Other _____

VII. AUDITORY

NOISE LEVEL

1. Ambient Level Above 85 dBA
2. Impact Level Above 85 dBA

PART C
COMMENTS

GO/NO GO

PART D

CERTIFICATION

I certify this WORKSITE HAZARD ASSESSMENT was conducted and/or current files reviewed. Appropriate Personal Protective Equipment was utilized per hazards noted or anticipated.




Signature Ray Prater

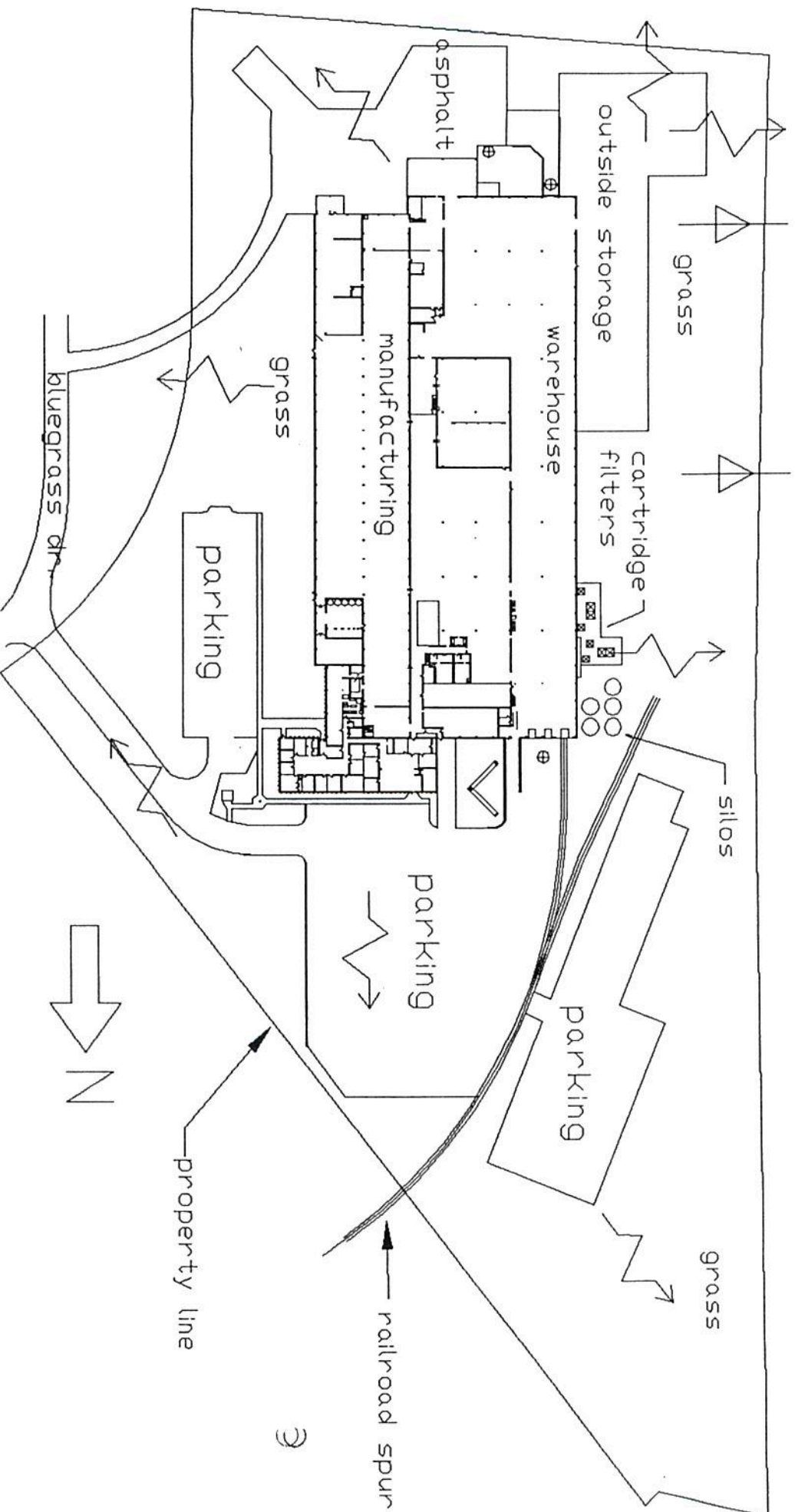
Date 2-28-03

JOHNSON CONTROLS BATTERY GROUP INC
8040 BLUEGRASS DR.
FLORENCE, KY 41042

0 50' 100'
scale

→ interstate I-75 →
to interstate ditch

legend	
	storm sewer
	sheet runoff
	drain



Johnson Controls, Inc.
Battery Group
8040 Blue Grass Drive
Florence, KY 41042
Tel. 606/371 6030

Wash
Graph
Ken L.

March 14, 2003

JOHNSON
CONTROLS

U.S. EPA REGION 4
OFFICE OF
REGIONAL ADMINISTRATOR
2003 MAR 19 P 12:01

Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Florence Regional Office
8020 Veterans Memorial Drive, Ste 110
Florence, Kentucky 41042
Attention: Ray Prater

Dear Mr. Prater,

Per your request, from the NOV letter issued by your department, dated March 11, 2003 and in compliance with 40 CFR 262.42(b), I am sending you this Exception Report letter for missing manifests from the receiving facility. The manifests in question are #00051(HER-054081), dated 10/24/02, and #00052(HER-054128), dated 12/02/02, to the receiving facility RSR Quemetco, Incorporated, 7870 W. Morris Street, Indianapolis, IN. Heritage Transport, LLC picked up the materials and was supposed to deliver to RSR Quemetco, Inc. for disposal. RSR Quemetco, Inc.'s preliminary investigation revealed there was no record of the material identified on the two manifests as ever being delivered. I have sent letters to Heritage Environmental Services, LLC, Heritage Transport, LLC and RSR Quemetco, Inc. asking them to investigate the missing material and the manifests. I have enclosed copies of these letters for your review.

If there are any further requirements, please let me know. I can be reached at 1-859-372-4809.

Respectfully,



Tim McCarrick
Plant Engineer

Attachments: Letters to Heritage Transport, LLC, Heritage Environmental Services, LLC and RSR Quemetco, Incorporated, copies of manifests #00051(HER-054081) and #00052(HER-054128).

cc: Frankfort Central Office
EPA Region IV, Atlanta Georgia



March 13, 2003

Heritage Transport, LLC
7901 W. Morris Street
Indianapolis, IN 46231

Re: Exception Report on Missing Manifests Signed by Receiving Facility

To whom it may concern

Per 40 CFR 262.42(b) I am writing this exception report. I have not receive a signed copy of manifests from the receiving facility for manifests #00052 (HER-054128) and #00051(HER-054081), dated 12/02/02 and 10/24/01 respectively. I have contacted RSR Quemetco, Incorporated; Indianapolis, IN looking for the above manifests. They have no record of the material ever being delivered. Considering Heritage Transport, LLC was the transporter who picked up this material from our facility and was to transport it to RSR Quemetco, Inc. for disposal, I was wondering what happened to the material? Why was the material not delivered? I have attached a copy of the manifests for your inspection and investigation. I am also sending a copy of this letter to the Kentucky Environmental Protection Agency and the Federal EPA Regional Administrator.

Please reply in writing as to why the material was not delivered to RSR Quemetco, Incorporated or supply "proof of delivery" to the facility. Please send you reply to:

Tim Mc Carrick
Johnson Controls Battery Group Inc.
8040 Blue Grass Drive
Florence, Kentucky 41042

I need your reply by April 4th, 2003. Thank you for your cooperation.

Respectfully,

A handwritten signature in cursive script, reading "Tim Mc Carrick". The signature is written in dark ink and is positioned above the printed name and title.

Tim Mc Carrick
Plant Engineer

Attachment: Manifests #00051(HER-54081) and #00052(HER-54128)